



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

August 12, 2021

BY ECF

Honorable Laura Taylor Swain
Chief United States District Judge
Southern District of New York
Daniel Patrick Moynihan U.S. Courthouse
500 Pearl Street
New York, NY 10007

MEMO ENDORSED

Re: United States v. Johanky De Luna-Almanzar, 21 Cr. 303 (LTS)

Dear Judge Swain:

With defense counsel's consent, the Government respectfully requests an adjournment of approximately 45 days for the pretrial conference scheduled for August 17, 2021, at 12:00 p.m. The Government understands that the Court is available for a pretrial conference on September 28, 2021, at 2:00 p.m. The parties have been engaged in detailed discussions about a pretrial resolution and seek additional time to conduct those discussions. Furthermore, the defendant has a pending narcotics case in state court that may effect the resolution in this matter and seeks additional time to gather relevant information.

The Government further requests that the Court exclude time pursuant to 18 U.S.C. § 3161(h)(7), until that conference. The exclusion of time will permit the parties to continue their discussions concerning a potential pretrial disposition of this case. Accordingly, the Government submits that the ends of justice served by granting the exclusion of time outweigh the best interests of the public and the defendant in a speedy trial.

The application is granted. The pretrial conference is scheduled for September 28, 2021, at **10 a.m.** The Court finds pursuant to 18 U.S.C. 3161(H)(7)(A) that the ends of justice served by an exclusion of time from today's date through 9/28/21 outweigh the best interests of the public and the defendant in a speedy trial for the reasons stated above. DE#27 resolved. SO ORDERED.
8/13/2021
/s/ Laura Taylor Swain, Chief USDJ

Respectfully submitted,

AUDREY STRAUSS
United States Attorney for the
Southern District of New York

by: /s/
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